

1 KATHLEEN A. LEAVITT
CHAPTER 13 BANKRUPTCY TRUSTEE
2 711 S 4th Street, Suite 101
Las Vegas, NV 89101
3 kal13mail@las13.com
Tel: (702) 853-0700
4 Fax: (702) 853-0713

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5 **UNITED STATES BANKRUPTCY COURT**
6 **DISTRICT OF NEVADA**

7 IN RE:
JORGE R ALCAZAR

8 Debtor(s)

CASE NO: BKS-20-12395-BTB

9 CHAPTER 13

Hearing Date: August 13, 2020

Hearing Time: 1:30 pm

10 LAW OFFICE OF MICHAEL J HARKER
Attorney for the Debtor

11 **TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN**
12 **#1 COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

13 Comes now KATHLEEN A. LEAVITT, Chapter 13 Bankruptcy Trustee, in the above captioned
14 bankruptcy case and hereby alleges as follows:

15 **Statement of Facts**

16 The Debtor(s) filed for Chapter 13 relief on 05/17/2020. The Section 341(a) Meeting of Creditors held on
17 July 21, 2020 at 9:00 am was concluded .

18 **Argument**

19 The Trustee objects to confirmation of the Chapter 13 Plan and recommends that this case be dismissed
20 pursuant to 11 U.S.C. §1307(c) for one or more of the following reasons:

- 22 • Debtor(s) is/are delinquent in plan payments. 11 U.S.C. §1307(c)(1)
23 • Plan is not feasible as required by 11 U.S.C. §1322 based on: Republic Services

1 Debtor(s) failed to cooperate with the Trustee as necessary to enable the Trustee to perform her duties
2 pursuant to 11 U.S.C. §521(a)(3), §704 and/or §1302. This failure to cooperate has caused unreasonable
3 delay that is prejudicial to creditors under 11 U.S.C. §1307(c)(1) as the Debtor(s) did not provide the
4 following documents and/or amendments:

- 5 • Paystubs for the following period(s): 11/1/19-4/30/20 all sources. 11 U.S.C. §704(a)(4)
6 and/or 11 U.S.C. §521(a)(1)(B)(iv).
- 7 • Bank Statement(s) for the following period(s): bank account #4763: 3/17/2020 - 5/7/2020
(bank account listed on tax return).

8 Finally, Trustee makes the following statements in an effort to maintain a clear record:

- 9 • Debtor should ensure that all creditors have been noticed pursuant to LR 1007(b)(5)(B).

Conclusion

10 WHEREFORE, for the foregoing reasons, the Trustee objects to confirmation and recommends that this case
11 be dismissed pursuant to 11 U.S.C. §1307(c).

12 Dated: 7/23/20

/s/ Kathleen A. Leavitt
Kathleen A. Leavitt
Chapter 13 Trustee

1 KATHLEEN A. LEAVITT
2 CHAPTER 13 STANDING TRUSTEE
3 711 S 4Th Street
Suite 101
Las Vegas, NV 89101

4 **UNITED STATES BANKRUPTCY COURT**
5 **DISTRICT OF NEVADA**

6 **IN RE:**
7 **JORGE R ALCAZAR**

CASE NO: BKS-20-12395-BTB
Chapter 13

9 **Debtor (s)**

10 **CERTIFICATE OF SERVICE**

- 11 1. On July 23, 2020, I served the following document(s):

12 **TRUSTEE'S OPPOSITION TO CONFIRMATION OF PLAN #1 COMBINED WITH**
TRUSTEE'S RECOMMENDATION FOR DISMISSAL

- 13 2. I served the above-named documents(s) by the following means to the persons

14 as listed below:

15 **United States mail, postage fully prepaid**

16 JORGE R ALCAZAR
17 7018 SALT MARSH CT
LAS VEGAS, NV 89148

LAW OFFICE OF MICHAEL J HARKER
2901 EL CAMINO AVE
SUITE 200
LAS VEGAS, NV 89102

19 **I declare under penalty of perjury that the foregoing is true and correct.**

20 Signed on: 7/23/20

/s/ Esther Carr

Employee of

Kathleen A. Leavitt

Chapter 13 Standing Trustee